

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

No. 7:05-CR-87-1-F

UNITED STATES OF AMERICA	)	
	)	
v.	)	<u>ORDER</u>
	)	
JARROD ANTWIAN HARRIS	)	
	)	
	)	

This matter is before the court for a determination of competency pursuant to 18 U.S.C. § 4241. The defendant was committed to the custody of the Attorney General by order dated 10 January 2013 for evaluation to determine whether there is reasonable cause to believe that he presently is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to assist properly in his defense.

The defendant has been evaluated as directed, and a report has been prepared by a psychologist at the Federal Correctional Center in Butner, North Carolina.

On 8 April 2013, a hearing was convened, pursuant to 18 U.S.C. § 4247(d), at which the defendant appeared by video-conference. The Assistant United States Attorney, Jane Jackson, and defendant's counsel, Walter Paramore, were present in the courtroom. The defendant was afforded an opportunity to testify, to present evidence, to subpoena witnesses on his behalf, and to confront and cross-examine witnesses who appeared at the hearing.

Dawn Graney, Psy.D., testified by video-conference. Her psychiatric report indicates that the defendant is currently suffering from a mental disease or defect and is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense. The defendant, through counsel, chose not to object to the findings of the report.

The court has carefully considered Dr. Graney's testimony and the psychological evaluation report, together with the record in this case, and personally has observed the defendant over video-conference. The court has determined by a preponderance of the evidence that the defendant presently is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceedings against him or to assist properly in his defense.

Accordingly, it is ORDERED that the defendant is COMMITTED to the custody of the Attorney General for hospitalization for treatment in a suitable facility as close as practicable to the court, for such a reasonable period of time, not to exceed four months, as is necessary to determine whether there is a substantial probability that in the foreseeable future he will attain the capacity to permit these proceedings to go forward. 18 U.S.C. § 4241(d). At the conclusion of that period of time not to exceed four months, the mental health care provider conducting or overseeing his treatment shall prepare and submit to the court a written report, with copies provided to counsel for the defendant and for the Government, detailing his or her professional observations, conclusions and recommendations whether there exists a substantial probability that in the foreseeable future the defendant will attain the capacity to permit these proceedings to go forward. The report shall be delivered to the chambers of Senior United States District Judge James C. Fox, at the below address:

2 Princess St.  
Wilmington, N.C. 28401

Upon receipt and consideration by the court and counsel for the parties of the four-month treatment report, the court will determine whether the defendant should remain hospitalized and receive treatment for an additional reasonable period of time until his mental condition is so

improved that trial may proceed, or until the pending charges against him are disposed of according to law, whichever is earlier. Id.

This 8 April 2013.

A handwritten signature in green ink, reading "W. Earl Britt", is positioned above a horizontal line.

W. Earl Britt  
Senior U.S. District Judge